

Message Text

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PAGE 01 MANILA 16877 240502Z
ACTION EA-12

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C O N F I D E N T I A L MANILA 16877

3.O. 11652: GDS
TAGS: SHUM, RP
SUBJECT: HUNGER STRIKE OF POLITICAL DETAINEE ANTONIO NEPOMOCENO

1. SUMMARY: WIFE OF POLITICAL DETAINEE ANTONIO NEPOMOCENO (PRINCIPAL DETAINEE LEFT IN LOPEZ/OSMENA CASE) AND OTHERS HAVE ASKED EMBASSY TO INFORM SENATORS HUMPHREY AND ANDERSON OF NEPOMOCENO'S WORSENING CONDITION AS RESULT OF HUNGER STRIKE. THEY SAY NEPOMOCENO BEGAN HUNGER STRIKE OCTOBER 11 WHEN HE WAS MOVED TO DARKENED SOLITARY CELL AFTER PROTESTING NEW DETAINEE RESTRICTIONS STEMMING FROM LOPEZ/OSMENA ESCAPE. MRS. NEPOMOCENO FEARS GOP MIGHT LET HIM FAST TO DEATH. EMBASSY RECOMMENDS DEPARTMENT INFORM SENATORS' OFFICES ASAP. END SUMMARY.

2. WIFE OF POLITICAL DETAINEE ANTONIO NEPOMOCENO, HIS ATTORNEY SENATOR JOSE DIOKNO, AND SISTER HELEN GRAHAM (AMCIT) OF ASSOCIATION OF MAJOR RELIGIOUS SUPERIORS' TASK FORCE ON DETAINEES CONTACTED EMBOFF OCTOBER 23. NEPOMOCENO HAS BEEN ON HUNGER STRIKE SINCE OCTOBER 11 AND IS REPORTEDLY WEAK AND VOMITING IN HIS CELL. THEY REQUESTED THAT DEPARTMENT CONTACT SENATORS HUMPHREY AND ANDERSON OF MINNESOTA, WHO TOOK UP CAUSE OF DETAINEE MELVIN CALDERON AND OBTAINED HIS RELEASE SOME MONTHS AGO, IN HOPES THEY WILL SIMILARLY "ADOPT" NEPOMOCENO CASE.

3. ACCORDING TO MRS. NEPOMOCENO, NEW GUARDS WERE ASSIGNED
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TO FORT BONIFACIO DETENTION FACILITY AFTER ESCAPE OF MAJOR DETAINEES EUGENIO LOPEZ, JR., AND SERGIO OSMENA 111 OCTOBER
1. NEW GUARD DETAIL IMPOSED STRICTER RESTRICTIONS ON REMAINING DETAINEES, NOTABLY LOCKING THEIR ROOM DOORS AT 6:00 P.M. RATHER THAN 10:00 AND REQUIRING DETAINEES TO ANSWER BED-CHECK CALLS EVERY THREE HOURS THROUGH THE NIGHT. TO PROTEST THESE NEW RESTRICTIONS, NEPOMOCENO BAHAVED RUDELY

TO THE NEW GUARDS. IN RETALIATION, ON OCTOBER 11 GUARD UNIT CHIEF LT. ACOSTA MOVED NEPOMOCENO TO THE "BARTOLINA" (BLACK-PAINTED, UNVENTILATED AND UNLIT ISOLATION CELL), AND NEPOMOCENO BEGAN HUNGER STRIKE. AT REGULARLY SCHEDULED HEARING OF HIS CASE OCTOBER 20, NEPOMOCENO WAS PRODUCED AND APPEARED THIN BUT AMBULATORY. DIOKNO REQUESTED MILITARY TRIBUNAL HEAD BGEN PEDOR ZAFRA TO LOOK INTO NEPOMOCENO'S CONDITION, BUT ZAFRA RULED THAT TRIBUNAL COULD ONLY REQUEST BONIFACIO AUTHORITIES TO DO SO. WIVES OF FELLOW DETAINEES TOLD MRS. NEPOMOCENO OCTOBER 22 THAT A MILITARY DOCTOR SAW NEPOMOCENO OCTOBER 21 AND THAT CELL DOOR IS NOW LEFT AJAR FOR LIGHT AND VENTILATION, BUT NO INVESTIGATION OF HIS SOLITARY DETENTION HAS BEEN MADE AND HE REMAINS IN THE "BARTOLINA." THEY TOLD HER HE WAS WEAK AND VOMITING.

4. SENATOR DIOKNO WILL APPROACH SUPREME COURT TODAY (OCTOBER 24) WITH URGENT REQUEST IT ORDER IMMEDIATE INVESTIGATION INTO NEPOMOCENO'S TREATMENT AND PRESENT STATE OF HEALTH. SISTER HELEN SAID SHE WOULD HAVE TELEPHONED RELIGIOUS COLLEAGUES IN U.S. HERSELF TO ASK THAT THEY APPROACH SENATORS HUMPHREY AND ANDERSON, BUT SHE FEARS GOP WIRETAPS WOULD GET HER IN TROUBLE AND PERHAPS INVITE RETALIATION ON NEPOMOCENO. THUS THEIR APPROACH TO EMBOFF.

5. NEPOMOCENO WAS ARRESTED JANUARY 1973 AND CHARGED IN APRIL 1977 (SIC) WITH BEING LEADER OF TEN ACCOMPLICES OF CONFIDENTIAL

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LOPEZ AND OSMENA IN ASSASSINATION ATTEMPTS. SINCE ANOTHER GROUP OF ALLEGED ACCOMPLICES (INCLUDING AMCIT AUGUSTUS LEHNAN) PLEADED GUILTY IN FEBRUARY 1977, ONE OF THAT GROUP, EDUARDO FIGUERAS, HAS, ACCORDING TO AN AFFIDAVIT FILED BY DIOKNO AT OCTOBER 20 HEARING, APPROACHED NEPOMOCENO'S CO-DEFENDANTS WITH OFFERS OF CASH AND GOVERNMENT ASSISTANCE IF THEY TOO PLEAD GUILTY. ONE CO-DEFENDANT, ALEXANDER AREVALO, DID IN FACT PLEAD GUILTY AT OCTOBER 20 HEARING. MRS. NEPOMOCENO SAYS THE OTHERS ARE "WEAKENING" AND MIGHT ALSO PLEAD GUILTY EXCEPT FOR THE EXAMPLE OF HER HUSBAND. SHE FEARS GOP MIGHT ALLOW NEPOMOCENO TO CONTINUE HIS HUNGER STRIKE TO THE DEATH IN ORDER TO OBTAIN GUILTY PLEAS FROM THE OTHERS AND THUS STRENGTHEN THE GOVERNMENT CASE AGAINST LOPEZ AND OSMENA.

6. COMMENT: EMBASSY SYMPATHIZES WITH MRS. NEPOMOCENO AND SEES POSSIBILITY THAT GOP MIGHT TAKE ACTION TO IMPROVE NEPOMOCENO'S DETENTION CONDITIONS IF APPROACHED BY SENATORS HUMPHREY AND/OR SENATOR ANDERSON, EMBASSY THUS RECOMMENDS THAT DEPARTMENT PASS SUBSTANCE OF THIS TELEGRAM TO SENATORS' OFFICES AS QUICKLY AS POSSIBLE, WITH CAVEAT THAT THIS INFORMATION IS UNCONFIRMED.

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